



Board of Trustees  
**Regular Meeting**  
Thursday, January 19, 2023

**Call to Order & Pledge of Allegiance:** Mayor Udd called the meeting to order and led in the Pledge of Allegiance at 5:00 pm

**Roll Call:** Mayor Pro Tem Jim Atkinson, Trustee Tracy Gist, Trustee Greg Hart, Trustee Tim Hawbaker, Trustee Kathy Hirschboeck, Trustee Mick Murray and Mayor Richard Udd. Let it also be shown for the record that Town Administrator Kami Collins and Town Clerk Jess Shelton are in attendance.

**Agenda Approval:** Mayor Pro Tem Atkinson moved, and Trustee Murray seconded to approve the agenda. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the agenda was approved.

**Consent Agenda**

- a. Minutes: 12/08/2022 Special Meeting
- b. Minutes: 1/5/2023 Special Meeting
- c. Financial Report: 11/30/2022
- d. Financial Report: 12/31/2022
- e. Disbursements: 12/2022

**Consent Agenda Approval:** Mayor Pro Tem Atkinson moved, and Trustee Murray seconded to approve the agenda. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the consent agenda was approved.

**Constituent Time**

- 1) John Steigner, 1350 SE Fairway Drive Cedaredge. Mr. Steigner commented on the water rate increase. Mr. Steigner read the Writing on the Edge and how water rate increases were to be increased by 3.5%. Mr. Steigner stated that he did not support the increase and the increase was not justified.

**Waiver Request: Tatton Water:** Trustee Hart asked if the Title 3 sections 1, 2, 3 and 4 requirements were met for the waiver request. TA Collins stated that she had a meeting scheduled with Mr. Tatton on January 20, to finalize the transfer and stated that the approval of the waiver was contingent on that meeting. Trustee Hart moved, and Trustee Gist seconded to approve the waiver request. All voted 'aye,' no one voted 'nay,' the motion

passed unanimously, and the waiver request was approved, contingent on all conditions being met.

**Waiver Request: Huggett Dogs:** Mayor Udd stated that there was a waiver for the number of dogs allowed at the property submitted to the Town. TA Collins stated that she and Chief Sanders are comfortable with a one-year waiver due to the economy. Mayor Pro Tem Atkinson stated that the motion needed to include that the animals be spayed and neutered and that the animals be licensed within 15 days of the approval of the waiver. Trustee Hawbaker stated that he wanted to make sure that the property owners keep the dogs quiet and compliant with barking and noise ordinance.

Trustee Murray moved, and Trustee Hirschboeck seconded to approve the Huggett waiver request to expire on January 19, 2024, with the conditions that the animals be licensed with the Police Department within 15 days. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the waiver request was approved.

Trustee Hart requested to have Title 3 of the Municipal Code addressed, pertaining to the weight of animals being no more than 100 pounds combined. TA Collins stated that there was code codification in progress and that the weight concern can be addressed during that process.

**2023 Applefest Sponsor & Vendor Fees:** Trustee Murray moved, and Trustee Gist seconded to approve the 2023 Applefest vendor and sponsorship fees. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and the waiver request was approved, contingent on all conditions being met.

**Resolution 01-2023: Designation of a Posting Place:** Mayor Pro Tem Atkinson moved, and Trustee Hirschboeck seconded to approve Resolution 01-2023. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Resolution 01-2023 was approved.

**Resolution 02-2023: Accepting the list of HUTF (Highway User Tax Fund) Streets for 2023:** Trustee Murray moved, and Trustee Hart seconded to approve Resolution 02-2023. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Resolution 02-2023 was approved.

Mayor Pro Tem Atkinson asked if there was a deadline for getting this resolution completed and TA Collins stated that there was a deadline to return the paperwork. TA Collins stated that the report was prepared by CDOT staff in Denver who do not know what our streets look like. TA Collins stated that the report will be updated the next time this report comes around, and how there is not any funding contingent on the condition of the streets, so the inaccuracy from CDOT will not cause funding issues.

TA Collins stated that there will be an updated streets report in March that states the current conditions of the streets.

**Resolution 03-2023:** Modifying the Surface Creek Saddle Club Utility Account.

Mayor Udd asked if the resolution could be a blanket resolution that would not need to be addressed each year. TA Collins stated that that was a good idea with the caveat that utilities keep an eye on water usage and if it goes up, then the resolution could be readdressed.

Trustee Murray asked that Resolution 03-2023 be tabled for the February agenda.

Trustee Murray moved, and Trustee Gist seconded to table Resolution 03-2023. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Resolution 03-2023 was tabled.

**Ordinance 2023-01:** Marijuana License Application Moratorium: Mayor Pro Tem Atkinson moved, and Trustee Murray seconded to approve Ordinance 2023-01. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Ordinance 2023-01 was approved.

**Treasurer's Report** – Trustee & Treasurer Mick Murray presented the written November and December reports to the board.

Trustee Hart asked about the figures in the water fund at a prior meeting, however it bothered Trustee Hart when Trustee Murray stated that the funds were at 41% of revenue instead of at 41% of expected revenue or another way to express those numbers clearer. Trustee Murray stated that he and Finance Manager Francis would get together to address that concern. Mayor Udd stated that he agreed it was confusing. TA Collins stated that she thought waiting until the money was in, then including it in the report, and doing a budget amendment may be a better practice; the issue will be investigated.

**Management Report:** TA Collins presented her written report.

- TA Collins stated that in 2023 staff would not be at every Board meeting unless they needed to address the board. Mayor Pro Tem Atkinson asked what the availability of staff would be if the Board had questions. TA Collins stated that the Board can ask, and she will get the answers for them if she does not know already.
- TA Collins stated that the Board approved a 4% COLA and a 2-6% merit increase for staff wages, and those have been given to staff.
- TA Collins stated that the Town had been working with Municode and their legal review came back and there was a massive review that the Town would need to address. TA Collins, Attorney Nerlin and the Municode legal group will be discussing these issues. Title 11 and Title 16 would be addressed first and then a chapter by chapter look of the code would take place. TA Collins stated that the Board addressed the tap fee increase for 2023, however Attorney Nerlin would be addressing that during the code codification process.
- The Town was awarded the \$750,000 grant from DOLA for the Northridge project and \$25,000 for a Master Plan. TA Collins stated that Northridge would go out to bid in February for the Board to approve and award in March.
- TA Collins gave an update on Chipmunk. There are four shareholders that TA Collins was negotiating with. TA Collins stated that she was given a dollar amount to negotiate with, but the counteroffer was considerably higher than what was discussed; the shareholders would be willing to accept the smaller cash investment and if they negotiate some water shares as well. Mayor Udd stated that water has a value and that

it would be reasonable to offer a share at \$25,000 and then add the cash amount when negotiating with the shareholders. TA Collins will get back with the shareholders. Mayor Pro Tem Atkinson stated that he had several questions and would like an executive session on this matter. Mayor Udd asked for a vote on allowing TA Collins to negotiate with the shareholders using water shares in conjunction with the cash. The value of the water would be based off current share prices. Voting "aye" were Trustee Hart, Trustee Hirschboeck, Trustee Murray, Trustee Hawbaker and Trustee Gist. Voting "nay" was Mayor Pro Tem Atkinson. Motion passed and TA Collins was approved to use water shares in negotiations.

- The Police Department had been busy with crime. TA Collins stated that due to the wage increase, there was longevity at the force now. The longevity had allowed the PD to change shifts for the first time in a year. There was a training room being built for the PD, since there is not a proper training room available for officers currently.
- TA Collins stated that the electrical panel was being updated at the golf course. Mayor Udd stated that the lighting on the south side of the building was not adequate to light the parking lot and needed to be investigated, along with the lighting by the east door; the current sconces were not adequate. Trustee Gist asked that the sidewalk in front of the door be addressed since there was a lip and it is a trip hazard. TA Collins stated that there were two new staff members at the golf course. Winston Howe was the new Golf Professional (Pro), and Scott Jeschke was the new Superintendent. There was an open house at the Lucky Shot that would be open to the public. Pro Howe will be going to the Denver Golf Expo in February. Superintendent Jeschke stated that he does not have the mechanical skills that the old Superintendent had, and he needed additional support in that area. TA Collins stated that she would look at the budget to see if that was possible. TA Collins stated that there was a General Information District (GID) petition group looking to get on the November ballot. Attorney Nerlin was reviewing the petition to make sure that it was good for the Town. TA Collins stated that the Board should have been able to see the petition before the community saw it, but that was not how it was handled, and some community members had already seen it. Petitioners plan to be active starting in March and then they would return it to the Town Clerk in August so that the ballot language could be sent to the County to be put on a ballot for November. Mayor Udd asked constituent Cordell Chapman when the Board could see the petition. Mr. Chapman stated that he wanted the petition to be agreed to by the Town before it went public. Mr. Chapman stated he did not know when the petition would be finalized. The new golf staff did not feel that it was necessary to rebrand the course because it would be better to market the course and spend money on marketing. Trustee Hirschboeck stated that the name change was for the community and the non-golfers. Trustee Hirschboeck also stated that the name change from club to course would make a big difference in our little town and stated that the name change should continue. Mayor Pro Tem Atkinson stated that golfers did not care what the name of the course was, and so staff should change the name going forth and not change what was already in existence. Trustee Hart stated that the wayfinding signs should be changed to say course but there should not be a resolution officially changing the

name. Mayor Udd stated that he would refer to Pro Howe, who stated that his opinion was to have wayfinding signs say golf course and everything at the course say golf club.

TA Collins stated that the current golfing policy is that staff must work 32 hours a month to receive that benefit and TA Collins would like to change that to 10 hours a week. TA Collins also stated that the current staff that have that benefit would have to pay the capital improvement fee. Trustee Hirschboeck moved, and Trustee Murray seconded to amend the free employee golfing policy to 10 hours a week.

TA Collins stated that when rates were set for 2023, there was push back from the golfing community. TA Collins and Pro Howe met and discussed good middle road golfing fees. TA Collins stated that the proposal would make it easier to generate revenue with the new structure. TA Collins asked the Board to approve reinstating the capital improvement fees, and then asked why the senior rates should be discounted when seniors made up most of the golfers.

Mayor Pro Tem Atkinson asked how punch cards would be managed during the week versus the weekend. Pro Howe stated that there would be a punch pass that stated Monday through Friday and another that stated Saturday and Sunday, along with a cart punch card. Pro Howe stated that punch cards were a standard method in the industry. Pro Howe stated that 41% of the revenue for the course was on Saturday and Sunday and that the punch passes in the past reduced weekend costs too much and weekday passes too much. Mayor Pro Tem Atkinson stated that the four cards were more cumbersome and revenue generation should not be the only reason for having four cards.

Mayor Pro Tem Atkinson asked about the seniors that were 80 years old and over. Pro Howe stated that he could generate a Super Seniors card that was good from Monday through Thursday and would not include a cart. TA Collins asked if the Board would approve the resolution 04-2023 and include a Super Senior pass for \$940 and then the capital improvement fee and golf cart. Trustee Murray moved and Trustee Hirschboeck seconded to approve resolution 04-2023 with the addition of a Super Senior Pass for \$940 for players over 80 years old, Monday through Thursday. All voted 'aye,' no one voted 'nay,' the motion passed unanimously, and Resolution 04-2023 was approved with the amendment adding the Super Senior Pass.

### **Commission & Committee Updates**

- a. Economic Development Advisory Committee (EDAC): Town Clerk and Economic Development Coordinator Jess Shelton gave an update on the EDAC. The Board was in support of generating a grant program utilizing Applefest revenue.
- b. Planning & Zoning Commission (P&Z): Mayor Pro Tem Atkinson stated that he, Chairperson Bethurum and TA Collins discussed what P&Z would be focusing on in 2023. Mayor Pro Tem Atkinson stated that P&Z would look at a mini-housing program that could be useful for filling in areas, especially in the outer layers of the town where there could be annexation in the future or lots that could be better utilized and beautified in town.

Chairperson Bethurum stated that the grants for workforce housing would go to the Town, who would then allocate the funds through the grant so that the Town maintained control of it. Chairperson Bethurum stated that there would not be a cash match

requirement for the Town to have to match. Chairperson Bethurum stated that there was a project in the works and there was a time limit on the application. Mayor Udd asked why the entity had not submitted a development application and Chairperson Bethurum said one would be submitted soon. TA Collins stated that this topic was not an agenda item and there could not be discussion at this time.

Trustee Hart requested to hear more on DOLA funding at a work session in the future to help everyone understand this program.

### **Upcoming Events & Meetings**

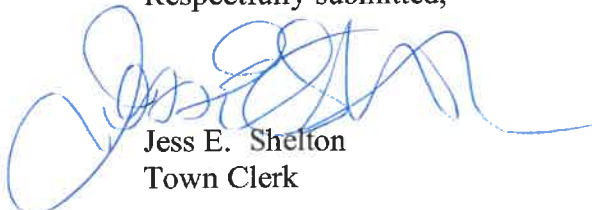
- a. Community Open House to meet new Golf Course Staff, Wednesday, Feb. 1, 3-5 pm, The Lucky Shot @ Cedaredge Golf Course

### **Trustee Comments:**

- Mayor Pro Tem Atkinson stated that there was time currently where there was no work going on at the course and the irrigation system was not being used, so water conservation should be addressed. Mayor Pro Tem Atkinson stated that working on the headgate on Surface Creek and moving it closer to the pond would help. Mayor Pro Tem Atkinson also suggested expanding the pond and putting a meter on that pond to better understand how much water was being used, wasted, and so forth, since there was not any data. Mayor Pro Tem Atkinson asked the Board to put a monitor and a filter on the line sooner rather than later. TA Collins stated that there was data and that the data was only 2% less accurate than a meter would be and that the project Mayor Pro Tem Atkinson suggested would cost around \$10,000. This topic would be addressed during discussions for the 2024 budget. In the meantime, TA Collins would obtain the information that the Superintendent had on water usage and provide more information to the Board at a later date.
- Trustee Hart stated that Region 10 was holding a brownfield workshop but that it was not anything that the Town had issues with,
- Mayor Pro Tem Atkinson stated that he sat in on a discussion with CDOT and transient issues. He also stated that there was an overlay project that was scheduled for Hwy 65 from Hwy 92 to Eckert.
- Trustee Murray stated that he appreciated Pro Howe helping with a new golf rate structure.
- Trustee Hawbaker seconded Trustee Murray.
- Trustee Gist thanked Pro Howe for his work, and TA Collins for her work.

**Adjourn:** Trustee Hirschboeck motioned, and Trustee Murray seconded to adjourn the meeting. Mayor Udd adjourned the meeting at 7:35 pm.

Respectfully submitted,



Jess E. Shelton  
Town Clerk